



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Robert Douglas Koren)
Serial No.: 09/814,509)
Filed: March 22, 2001)
For: **MOLD AND MOLDING PROCESS**)
Attorney's Docket No: 4739-001)
Patent Pending
Examiner: Michelle A. Lazor
Group Art Unit: 1734
Raleigh, North Carolina
January 16, 2004

MS Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement dated December 16, 2003, Applicant provisionally elects the Group I claims comprising claims 1-9 for prosecution. Applicant traverses the restriction as between the Group I and Group II claims, but does not traverse the restriction of the Group III claims. The invention set forth in claims 1 and 10 each include the same four general elements -- an outer mold, an inner mold, an extraction member, and a vacuum source. The claims differ in scope but claim essentially the same invention. The Examiner notes that claim 1 states that the inner mold is flexible, while claim 10 states that the inner mold is square. While claim 10 does not mention the flexibility feature, flexible inner molds are within the scope of claim 10. Similarly, while claim 1 does not define the shape of the inner mold, square inner molds are within the scope of claim 1. Applicant also notes that the Group I claims could properly be classified in class 249, subclass 142. In any event, subclasses 142 and 189 of class 249 will need to be searched, no matter which invention (Group I or Group II) is selected.

For the foregoing reasons, Applicant respectfully requests that the Group I and Group II claims be merged into a single group for prosecution.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.

By:



David E. Bennett
Registration No. 32,194

P.O. Box 5
Raleigh, NC 27602
Telephone: (919) 854-1844

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Name: David E. Bennett

Date: 1/16/04